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Honorable Thomas O. Rice

13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF WASHINGTON AT RICHLAND

15 JOHN DOE 1; JOHN DOE 2; JANE DOE
16 1; JANE DOE 2; JANE DOE 3; and all
17 persons similarly situated,

18 Plaintiffs,

19 v.

20 WASHINGTON STATE DEPARTMENT
21 OF CORRECTIONS and CHERYL
22 STRANGE, Secretary of The Department
23 of Corrections, in her official capacity,

24 Defendants.

NO. 4:21-cv-05059-TOR

JOINT STATUS REPORT AND
[PROPOSED] ORDER TO
EXTEND STAY OF COURT
DEADLINES

25 The Parties, through their respective counsel of record, jointly move this
26 Court to extend the stay of all Court deadlines related to this litigation until May 31,
27 2023. Additional time is necessary to complete negotiations to conclude this matter.
28

1 On March 15, 2023, the Parties filed with this Court a stipulated motion and
2 proposed order to stay court deadlines upon the parties having reached an agreement
3 in principle to settle this matter. ECF No. 142. The Parties requested, and the Court
4 ordered, a stay of all Court deadlines until May 1, 2023, at which time the Parties
5 were ordered to submit a status report to the Court. ECF No. 123.
6

7 Since March 15, the Parties have drafted and exchanged revisions of a
8 comprehensive Settlement Agreement. The Parties have agreement on all but one
9 term of this Agreement. The Parties have also drafted and exchanged revisions of
10 training materials to guide Defendants' application of RCW 42.56.475 to public
11 records subject to the injunction entered herein. These training materials involve
12 extensive in-service programming for Defendants' staff responsible for the
13 withholding and redaction of records. While the Parties have reached agreement on
14 all major substantive terms, additional time is necessary for the Parties to finalize
15 one open term of the Settlement Agreement and to complete the training materials,
16 which will be attached to the Settlement.
17

18 The Parties propose that they be ordered to provide a status report to the
19 Court on or before May 31, 2023, if for any reason they are not able to file the
20 motion for approval of the Settlement by that date. If the motion is filed on or before
21 May 31, 2023, then no status report should be required. If the parties have not
22 completed this process by May 31, 2023, or have determined that there is no longer
23 agreement on the material terms of the settlement, they may seek to resume
24 litigation at that time.
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Jointly submitted this 28th day of April, 2023, by:

<p>MacDonald Hoague & Bayless</p> <p>By: <u>s/ Joe Shaeffer</u> Joe Shaeffer, WSBA #33273 joe@mhb.com Attorneys for Plaintiffs On behalf of The American Civil Liberties Union of Washington Foundation</p> <p>705 Second Avenue, Suite 1500 Seattle, WA 98104 Tel: 206.622.1604 Fax: 206.343.3961</p>	<p>Munger, Tolles & Olson LLP</p> <p>By: <u>s/ Katherine M. Forster</u> Katherine M. Forster, CA Bar #217609 <i>Pro Hac Vice</i> Katherine.Forster@mto.com Attorneys for Plaintiffs</p> <p>350 South Grand Avenue, 50th Floor Los Angeles, CA 90071 Tel: 213.683.9538 Fax: 213.593.2838</p>
<p>American Civil Liberties Union of Washington Foundation</p> <p>By: <u>s/ Nancy Talner</u> Nancy Talner, WSBA #11196 TALNER@aclu-wa.org By: <u>s/ Jazmyn Clark</u> Jazmyn Clark, WSBA #48224</p> <p>Attorneys for Plaintiffs P.O. Box 2728 Seattle, WA 98111 Tel: 206.624.2184</p>	<p>Disability Rights Washington</p> <p>By: <u>s/ Ethan D. Frenchman</u> Ethan D. Frenchman, WSBA #54255 ethanf@dr-wa.org By: <u>s/ Danny Waxwing</u> Danny Waxwing, WSBA #54225 dannyw@dr-wa.org By: <u>s/ Heather McKimmie</u> Heather McKimmie, WSBA #36730 heatherm@dr-wa.org By: <u>s/ David Carlson</u> David Carlson, WSBA #35767 davidc@dr-wa.org</p> <p>Attorneys for Plaintiffs 315 5th Avenue S, Suite 850 Seattle, WA 98104 Tel: 206.324.1521</p>

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ORDER

PURSUANT TO STIPULATION AND FOR GOOD CAUSE

APPEARING, IT IS SO ORDERED.

DATED: _____

HONORABLE THOMAS O. RICE
UNITED STATES DISTRICT JUDGE

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2
3 **CERTIFICATE OF SERVICE**

4 I hereby certify that on April 28, 2023, I electronically transmitted the foregoing
5 document to the Clerk's Office using the CM/ECF System for filing and transmittal
6 of a Notice of Electronic Filing to the counsel/parties of record for this matter.
7

8 **RESPECTFULLY SUBMITTED** this 28th day of April, 2023.

9 By: /s/ Trish Weissmann
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